

HON. ROSANNA MALOUF PETERSON

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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAINA BLEDSOE, A SINGLE WOMAN,

Plaintiff,

v.

FERRY COUNTY, WASHINGTON et  
al.,

Defendants.

No. 2:19-CV-00227 RMP

**DEFENDANTS' MOTION FOR  
LEAVE TO FILE OVER-  
LENGTH BRIEF AND  
DECLARATION OF COUNSEL  
FOR DEFENDANTS**

**05/18/2020  
Without Oral Argument**

**MOTION**

COME NOW Defendants, by and through counsel, and move the Court for an order granting leave for Defendants to file an over-length brief not to exceed 25 pages in connection with Defendants' Motion for Summary Judgment. This motion

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1 is based upon LCivR 7(f)(5), the annexed declaration of counsel for Defendants and  
2 the files and records.

3 DATED this 16th day of April, 2020.

4 MOBERG RATHBONE KEARNS, P.S.

5 s/ James E. Baker

6 JAMES E. BAKER, WSBA No. 9459

7 Attorneys for Defendants

8 **DECLARATION**

9 The undersigned states:

10 1. I am one of the lawyers for Defendants, I am competent to testify and I  
11 make these statements on personal knowledge.

12 2. Defendants are currently preparing Defendants' Motion for Summary  
13 Judgment to address all of Plaintiffs' claims. The deadline for filing dispositive  
14 motions is Aug. 14, 2020.

15 3. LCivR 7(f)(1) provides that a dispositive motion shall not exceed 20  
16 pages. LCivR 7(f)(5) provides that these page limits may only be exceeded by  
17 obtaining prior approval of the Court.

18 4. Plaintiff's Complaint is 14 pages and 71 paragraphs. (ECF 1.) The  
19 Complaint alleges three causes of action: (1) violation of the First Amendment  
20 under 42 U.S.C. § 1983, (2) retaliatory prosecution and (3) malicious prosecution.  
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1           5. Defendants need to address all three of Plaintiff's claims. Defendants  
2 also need to address non-liability under *Monell v. New York Dep't of Social Servs.*,  
3 436 U.S. 658 (1978) and qualified immunity under *Ashcroft v. Iqbal*, 556 U.S. 662  
4 (2009).

5           6. The current draft of Defendants' Motion for Summary Judgment  
6 exceeds 38 pages. Counsel is diligently attempting to shorten the length of the  
7 brief. However, it is concluded that an over-length brief of up to 25 pages is  
8 required to properly address Plaintiff's claims and Defendants' defenses.

9           7. On April 16, 2020, I contacted the office of counsel for Plaintiffs to  
10 inquire whether there was an objection to an over-length brief of 25 pages. I spoke  
11 to Breean L. Beggs, who told me that Plaintiff has no objection.

12           I certify under penalty of perjury under the laws of the state of Washington  
13 that the foregoing is true and correct.

14           DATED this 16th day of April, 2020 at Ephrata, WA.

15  
16  
17  
18           s/ James E. Baker

19           JAMES E. BAKER, WSBA No. 9459  
20           Attorneys for Defendants

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**CERTIFICATE OF SERVICE**

I certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System and the Clerk will send notification to:

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Breean L. Beggs  
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Mary Elizabeth Dillon  
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DATED this 16th day of April, 2020 at Ephrata, WA.

MOBERG RATHBONE KEARNS, P.S.

s/ Cinthia Piedra  
CINTHIA PIEDRA, PARALEGAL

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